

**THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

**IN THE MATTER OF A CRIMINAL
COMPLAINT OF
KENNETH HOWARD WORTHY**

Case No. 20-mj-2024DPR

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Joseph Neuschwander, a Task Force Officer (TFO) with the Homeland Security Investigations, Immigration and Customs Office (HSI/ICE), being first duly sworn, hereby depose and state as follows:

1. I am employed as a detective with the West Plains, Missouri, Police Department (WPPD) and a TFO with HSI in Springfield, Missouri. I am also assigned to the Southwest Missouri Cyber Crimes Task Force (SMCCTF). I have been employed in the field of law enforcement full-time since 2003, including duties as a patrol officer, patrol supervisor, SWAT Operator, and detective. I have gained expertise in the conduct of such investigations through training in seminars, classes, and everyday work related to conducting these types of investigations. I have attended trainings provided by the Internet Crimes Against Children Program and the Missouri Internet Crimes Against Children (ICAC) Task Force. Additionally, I have attended an approved 35-hour course for Universal Forensic Extraction Device Series (UFED) hardware and software methodology and am a Cellebrite Certified Operator and Cellebrite Certified Physical Analyst.
2. As part of this affiant's duties with HSI/ICE, this affiant investigates federal criminal violations including violations relating to child exploitation, child pornography, and coercion and enticement, in violation of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422.
3. The statements in this affidavit are based on personal observations, my training and experience, investigation of this matter, and information obtained from other agents and witnesses. Because

this affidavit is being submitted for the limited purpose of securing a criminal complaint, this affiant has not included each and every fact known to me concerning this investigation. The affiant has set forth the facts necessary to establish probable cause to believe that Kenneth Howard Worthy has violated 18 U.S.C. § 2251(a), that is, sexual exploitation of a child.

STATUTORY AUTHORITY

4. 18 U.S.C. § 2251(a) prohibits a person from employing, using, persuading, inducing, enticing, or coercing a minor to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, or an attempt to do so, if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce, or if such visual depiction actually was transported in or affecting interstate commerce.

PROBABLE CAUSE

5. On August 28, 2020, the SMCCTF received CyberTip Report (CTR) 75256433 from the National Center of Missing & Exploited Children (NCMEC), indicating that Facebook had discovered a chat session they believed contained files of child pornography. Upon discovering the file, Facebook notified the National Center for Missing and Exploited Children (NCMEC) on July 29, 2020, at 18:15:01 hours, GMT.
6. Based upon the investigation into that CTR, law enforcement positively identified the user of the Facebook account (hereinafter "Suspect"). During the course of an interview regarding the CTR and associated conduct, the Suspect disclosed he had been communicating with an adult male, Kenneth Howard Worthy (hereinafter "Worthy"), through the Kik social media application. The Suspect stated that Worthy had sent him images depicting a minor male engaged in sexually explicit conduct with Worthy. This affiant confirmed that Worthy resided in West Plains,


Missouri, a location within the Western District of Missouri.

7. On March 4, 2021, this affiant contacted Worthy at his residence. This affiant asked if Worthy would be willing to speak with him, and Worthy stated that he would. Post-*Miranda*, Worthy indicated that he had met the Suspect online and communicated with him via Kik. Worthy admitted to producing images depicting child pornography with a minor male who was less than two years of age (hereinafter "John Doe") and distributing those images to the Suspect.
8. Worthy stated that while producing the images of John Doe, Worthy had placed his penis on John Doe's buttocks, had John Doe grasp Worthy's erect penis, and Worthy had fondled John Doe's penis. Worthy said that the images he took of John Doe were taken with his cellular phone while they were inside his residence and in the garage of his residence. At the conclusion of the interview, Worthy provided written consent to seize and search his cellular phone, a Samsung, Model SM-N975, IMEI #359186103820266.
9. On March 5, 2021, this affiant conducted a Cellebrite forensic extraction on Worthy's Samsung cellular phone. On March 8, 2021, this affiant reviewed the extraction report. This affiant observed images depicting child pornography on Worthy's cellular phone. There were 10 child pornography images depicting John Doe. As an example, one image depicted Worthy holding John Doe, wearing a gray and black striped outfit, and Worthy is pressing his erect penis on John Doe's lower buttocks. Another image depicted a nude male toddler facing downward on a zebra striped blanket and an erect male penis appears to be inserted into the toddler's anus. Neither the adult nor the minor's face is visible in the image; however, the image was taken inside a bedroom room in Worthy's residence. A third image depicts John Doe grasping an adult male penis. The images of John Doe were created between the dates of July 4, 2020, and July 25, 2020.
10. This affiant confirmed that Kik utilizes the Internet to function, and the Samsung cellular phone


was manufactured outside the state of Missouri and would have had to cross state lines to enter.

CONCLUSION

11. Based on the above facts, this affiant believes there is probable cause in support of a criminal complaint against Kenneth Howard Worthy for violation of 18 U.S.C. § 2251(a), that is, sexual exploitation of a minor.


Joseph Neuschwander
Task Force Officer
Homeland Security Investigations

Sworn to and subscribed to before me in my presence via telephone, or by other reliable electronic means on this 30th day of March 2021.


Honorable David P. Rush
Chief United States Magistrate Judge
Western District of Missouri